

27 March 2025 at 7pm

Marconi Room, Civic Centre, Chelmsford

Membership

Councillor R. Lee (Chair)
Councillor D. Clark (Vice-Chair)

and Councillors

N. Chambers, H. Clark, A. Davidson, S. Davis, J. Frascona, A. John, J. Hawkins, L. Mascot, V. Pappa, S. Scott, and P. Wilson

Local people are welcome to attend this meeting, where your elected Councillors take decisions affecting YOU and your City. There will also be an opportunity to ask your Councillors questions or make a statement. These have to be submitted in advance and details are on the agenda page. If you would like to find out more, please email committees@chelmsford.gov.uk or telephone (01245) 606480

Regulatory Committee

27 March 2025

AGENDA

1. Apologies for Absence

2. Minutes

To consider the minutes of the meeting held on 27 February 2025.

3. Declaration of Interests

All Members are reminded that they must disclose any interests they know they have in items of business on the meeting's agenda and that they must do so at this point on the agenda or as soon as they become aware of the interest. If the interest is a Disclosable Pecuniary Interest they are also obliged to notify the Monitoring Officer within 28 days of the meeting.

4. Public Question Time

Any member of the public may ask a question or make a statement at this point in the meeting. Each person has two minutes and a maximum of 20 minutes is allotted to public questions/statements, which must be about matters for which the Committee is responsible.

The Chair may disallow a question if it is offensive, substantially the same as another question or requires disclosure of exempt or confidential information. If the question cannot be answered at the meeting a written response will be provided after the meeting.

Any member of the public who wishes to submit a question or statement to this meeting should email it to committees@chelmsford.gov.uk at least 24 hours before the start time of the meeting. All valid questions and statements will be published with the agenda on the website at least six hours before the start time and will be responded to at the meeting. Those who have submitted a valid question or statement will be entitled to put it in person at the meeting.

5. Beaulieu Park Train Station – Taxi Rank Permit Scheme

6. Business and Planning Act 2020 – Application to appeal the decision of a pavement licence

Part II (Exempt Items)

To consider whether the public (including the press) should be excluded from the meeting during consideration of the following agenda items on the grounds that they involve the likely disclosure of exempt information specified in the appropriate paragraph or paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 indicated in the Agenda item.

7. Local Government (Miscellaneous Provisions) Act 1976 – Application for the renewal of a Hackney Carriage Vehicle Licence

Category: Paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972

(Information relating to any individual)

Public interest statement: It is not in the public interest to disclose the content of this report because the information in it concerns the interests and circumstances of an individual who has an expectation that such information would not normally be released to the public. To do otherwise would establish a precedent for the future treatment of personal information.

8. Local Government (Miscellaneous Provisions) Act 1976 – Application for the renewal of a Hackney Carriage Vehicle Licence

Category: Paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972

(Information relating to any individual)

Public interest statement: It is not in the public interest to disclose the content of this report because the information in it concerns the interests and circumstances of an individual who has an expectation that such information would not normally be released to the public. To do otherwise would establish a precedent for the future treatment of personal information.

9. Local Government (Miscellaneous Provisions) Act 1976 – Application for a new Hackney Carriage/ Private Hire Driver's Dual Licence

Category: Paragraph 1 of part 1 of Schedule 12A to the Local Government Act 1972

(Information relating to any individual)

Public interest statement: It is not in the public interest to disclose the content of this report because the information in it concerns the interests and circumstances of an individual who has an expectation that such information would not normally be released to the public. To do otherwise would establish a precedent for the future treatment of personal information.

10. Urgent Business

To consider any other matter which, in the opinion of the Chair, should be considered by reason of special circumstances (to be specified) as a matter of urgency.

MINUTES OF THE REGULATORY COMMITTEE

held on 27 February 2025 at 7pm

Present:

Councillor R. Lee (Chair)

Councillors N. Chambers, D. Clark, A. Davidson, S. Davis, J. Frasca, J. Hawkins, L. Mascot, V. Pappa, S. Scott and P. Wilson

1. Apologies for Absence

Apologies for absence were received from Councillor H Clark.

2. Minutes

The minutes of the meeting held on 23 January 2025 were agreed as a correct record and signed by the Chair.

3. Declaration of Interests

All Members were reminded to declare any Disclosable Pecuniary interests or other registerable interests where appropriate in any items of business on the meeting's agenda. None were made.

4. Public Question Time

No public questions were asked at the meeting.

5. Business and Planning Act 2020 – Application to appeal the decision of a pavement licence

The Committee were requested to consider an application to appeal the decision made by the Licensing Authority, in relation to the refusal of a pavement licence. The Committee heard that the initial application had been refused in accordance with the Council's Pavement licence policy, after receiving representations from Chelmsford City Council's Public Health and Protection department, Chelmsford Planning department, the Access Manager for Economic Development. and Essex County Council's Highways Department.

The Committee heard that the application had been rejected because it was fundamentally against the principle of the street design and the approach to tables and chairs in that part of the high street. It was noted that there was no set appeal process in the relevant legislation, but Council's could undertake an internal review process, which the Regulatory Committee had been asked to do by Queenies.

The Committee heard from the applicant for Queenies. They informed the Committee, that they were seeking a pragmatic approach, that addressed inconsistencies within the current policy. The applicant stated that following the previous refusal they had

amended the application, to have a singular row of tables and chairs to lessen the impact, in addition to commissioning a survey of the area to demonstrate that with the new application, there would still be room for Fire vehicles to get past and turn in the High Street, therefore Essex Fire had confirmed that the proposed placement of tables and chairs did not pose a safety risk in their opinion. The Committee heard therefore, that safety concerns had been addressed and the application had been denied due to it not meeting policy. The Committee were informed of the historic tables and chairs licence held by a business opposite that no longer met the new policy, highlighting consistency concerns. The Committee were also informed that concerns around disabled access to the High Street, were hard to understand given the placement of other businesses tables and chairs. They highlighted to the committee that they wanted fairness and transparency and equal enforcement of the rules, to allow small local businesses such as their one to be supported.

In response to questions from the Committee, officers confirmed that;

- The policy was in place for a reason and deserved due consideration, but it was within the Committee's remit to depart from it if they felt it was appropriate.
- The area concerned was very busy and had a high footfall that continued to increase. It was noted that when producing the policy, public safety and accessibility had been critical and the design had been produced to cope with the volume of users on the high street. It was also noted that the 3m gap between premises and any tables had been designed to be generous for those walking on the High Street, but had been based on professional judgement and best practice guidance as specific regulations or standards did not exist. It had been viewed as vital to ensure the flow of people on the High Street and to allow neurodiverse people, people with mobility issues and those with visual impairment to make best use of the space by being able to follow the building line along the High Street. Officers stated that obstructions along the High Street made navigating it more difficult, and the absolutely clear routes along the shop front were vital. It was noted that the Council's access officer's professional expertise had been utilised when designing improvements to Tindal Square and the High Street project and when developing those elements of the policy.
- For legacy reasons the Pavement Licence policy differed in certain areas and for the particular part of the High Street in question, specific thought had gone into determining where tables and chairs could be placed to still maintain the design and safety elements, as the Council had control over the development of the area at the time, specific areas for tables and chairs had been put in place. It was also noted that at the time the policy had been produced, the premises in question had been a shop rather than a food/drink premises, hence why an area had not been allocated directly outside, like with some of the existing food/drink premises nearby. It was also noted that licence's were not transferrable if an owner left a premises.

In response to questions from the Committee, the applicant confirmed that they would be happy to have a barrier in front of their tables and chairs if granted.

The Committee discussed the merits of the application and expressed views that neurodiverse members of the public and members of the public with mobility issues had differing needs, when it came to navigating areas such as the High Street and that Queenies catered well for those who were neurodiverse and outside seating

would be beneficial. Members of the Committee also referred to other narrow sections of the High Street, and the nearby businesses that did have tables and chairs in various locations, whether if the policy was deviated from then would it need to be revisited, the 3m gap had been based on best practice and the fact that the current application was smaller than the previous one.

Members of the Committee also expressed views that the quality of access should be paramount for those using the High Street and good weight should be given to the expertise provided by the Council's Access Officer and Planning department. Members also queried whether granting individual licence appeals was the appropriate step forward, as it would lead to a piecemeal approach, and whether revisiting the policy would actually be the better long term solution. Officers also clarified that on busy event days, licensees were often asked to remove their tables and chairs and the applicant for Queenies stated that they would comply with these requests.

A proposal was made and seconded to approve the application and to ask officers to revisit the policy.

RESOLVED that;

1. the licence be granted as applied for with a condition to have a barrier in front of the tables and chairs to separate them from the High Street and;
2. the Pavement Licence policy be revisited by officers.

(7.02pm to 8.01pm)

6. Urgent Business

There were no matters of urgent business.

The meeting closed at 8.01pm

Chair



Chelmsford City Council Regulatory Committee

27th March 2025

Beaulieu Park Train Station - Taxi Rank Permit Scheme

Report by:

Director of Public Places

Officer Contact:

Lewis Mould, Public Health and Protection Services Manager

01245 606439, lewis.mould@chelmsford.gov.uk

Purpose

To consider the consultation responses on the introduction of a Taxi Rank Permit Scheme at Beaulieu Park Station and make a recommendation to Cabinet for a decision.

Options

1. To endorse the details of the scheme as outlined in section 3 of this report and make such a recommendation to Cabinet for approval.
2. To make changes to the details of the scheme as outlined in section 3 of this report and then make recommendation to Cabinet for approval.
3. To not progress with a Taxi Rank Permit Scheme for Beaulieu Park Train Station.

Recommendations

To endorse the details of the taxi permit scheme as outlined in Section 3 and make recommendation to Cabinet for approval on these terms.

1. Background

- 1.1. The proposed Taxi Rank Permit Scheme was considered at Regulatory Committee on 23rd January 2025 and members agreed that a consultation should take place to obtain views and information on the proposal. The consultation took place between 24th January 2025 and 7th March 2025.
- 1.2. Chelmsford City Council own the area of land allocated for the new Station Taxi Rank at Beaulieu Park Train Station and will manage the rank. It has been proposed that the use of the taxi rank by Hackney Carriage drivers/vehicles be chargeable. Only those taxis who are 'permitted' by the Council would be allowed to use the rank. As the landowner the City Council can apply conditions (including charging a fee) for an individual to access the land.
- 1.3. Beaulieu Park Train Station is due to open to the public and become operational later this year.
- 1.4. The number of trains stopping at Beaulieu Park's London-bound platform in peak morning times will be between 3 and 4 per hour and Norwich-bound there will be 3 and 4 trains per hour in peak evening time. Off peak and weekends there will be 2 trains per hour each direction. The annual footfall is predicted at between 290,000 and 390,000 in the first year of opening and is expected to grow as the station establishes itself and levelling out at a figure around double the initial number by 2029. For information, the total annual number of passengers going through Chelmsford station in 2023-2024 was 6,538,092.
- 1.5. A suitable provision of permitted taxis is required to service the rank to ensure that (a) there are not too many taxis clogging up the rank and surrounding area and, (b) there are a sufficient number of taxis available to provide onward transport for people disembarking trains at the station.

2. Consultation and Assessment

- 2.1. In total 19 consultation responses were received, and the text of the consultation responses are attached as Appendix 1. A number of these are identical submissions. All drivers and operators of taxis in Chelmsford were consulted on this proposal. In addition, other interested parties such as Greater Anglia, Essex Highways and the South Essex Parking Partnership were consulted. The details of the consultation were placed on the City Council website.
- 2.2. The majority of the responses have been submitted by licensed taxi drivers. Most are against the principle of being charged to use the taxi rank. There are also concerns raised about the level of fee to be charged. Some indicate that if the level of fee is too high drivers will not take up the permits and then there will be no taxis to service the rank. Responses also highlighted the likely short

fares that will be requested by passengers disembarking at the station to areas such as Beaulieu, Boreham and North Springfield.

- 2.3. The key issue in setting up the scheme is to ensure that there are sufficient numbers of taxis available for passengers to use when disembarking trains and continuing their onward journey. There is therefore a balance to be made in terms of the fee to be charged for the permits and the appeal for drivers to take up the offer of a chargeable permit. It is recommended that a lower annual fee is introduced to make the permit scheme more appealing to drivers. It should be acknowledged there will be some risk associated with drivers signing up to the scheme as there are some unknowns about taxi demand at the new station. It is not recommended that access to the rank should be permitted for all hackney carriage drivers as this will likely lead to the clogging up of the taxi rank, the pick-up/drop off area and the surrounding road network.
- 2.4. The taxi rank will have space for approximately 10 vehicles at any one time. See Appendix 2 and 3 for plans of the taxi rank and station. Please note the plan at Appendix 3 has not yet been approved but is provided to show the layout of the rank and pick-up/drop off in more detail. It is recommended that more than 10 permits are issued but the number of permits issued should not be excessively high. Initially issuing 30 permits in an initial batch seems to be a proportionate approach. This can be increased in-year if there is sufficient demand based on the flow of passengers at peak times as well as driver, passenger and station feedback.
- 2.5. The permits and access to the rank will be limited to hackney carriage vehicles licensed by Chelmsford City Council as only those hackney carriages licensed by CCC can ply for trade within the council area. The permit would be physically attached to the vehicle and linked to the registration number of the vehicle in order to avoid an unauthorised trade in the permits. There will be Chelmsford City Council representatives on site working from the new station involved in managing the Car Park and other Council-owned parts of the station. These members of staff will be able to assist in providing feedback on the general operation of the rank and also to check the taxi permits of those on the station rank if required.
- 2.6. The income generated from the scheme will be used to cover the costs of administering the scheme and it does not form part of the regulatory aspect for the licensing authority in terms of hackney carriage licensing. The income is proposed to be used to fund the ongoing management and maintenance of the rank and the other areas of the City Council owned parts of the station complex.

3. Proposed Scheme

- 3.1. It is proposed that an initial 30 permits will be made available to drivers. A process for drivers to register their interest will be set up and then the

successful applicants selected at random, although priority given to those licensed vehicles that are disabled accessible.

3.2. The cost of the permits will be set at £500 for one year.

3.3. Physical printed permits will be issued to taxis permitted to use the rank and must be displayed in the rear of the vehicle.

3.4. The scheme will be under continuous review so that demand, use, and operations can be assessed. It is requested that officers be able to issue additional permits if required to ensure that the taxi rank is working effectively.

3.5. The fees for the permits will be reviewed after one year.

4. Conclusion

4.1. It is recommended that Members agree to the introduction of the scheme in terms outlined in section 3. If members are minded not to agree with the proposal as stated, it is recommended that alternative terms of the scheme are proposed and agreed.

4.2. The recommendation of this Committee will be referred to Cabinet for a formal decision on the scheme to be made.

List of appendices:

Appendix 1 - Consultation Responses

Appendix 2 - Plan of Taxi Rank and Station

Background papers:

None

Corporate Implications:

Legal/Constitutional: None

Financial: The introduction of the scheme will provide income to Chelmsford City Council to assist in the management of the station assets under the Council's ownership.

Potential impact on climate change and the environment: None

Contribution toward achieving a net zero carbon position by 2030: None

Personnel: None

Risk Management: None

Equality and Diversity: Impact Assessment not required.

Health and Safety: None

Digital: None

Other: None

Consultees:

N/A

Relevant Policies and Strategies:

None

APPENDIX 1

Number	Comments
1	<p>New beuli train station in Chelmsford is opening soon. Great news for who lives nearby.</p> <p>My honest opinion is upcoming new taxi rank which is own by Chelmsford city council and should be free for ply hire for Chelmsford hackney taxi. More than 200 hackney taxi in Chelmsford and limited rankings facility.</p> <p>Viaduct Rd rank only 3 legal taxi rank. Tesco have 4 space. Market Rd have about 10 currently the rank is dead.</p> <p>Further more if council own rank have to additional fees then why not other rank in city not been charged.</p> <p>I think will be unfair to the HAC taxi owners and one is chargeable and other free!!</p>
2	<p>I understand the council during these austere times is hoping to raise money from the new Beaulieu Station rank - however I do not believe in this case that charging taxi drivers for using the rank is the answer, for a number of reasons.</p> <p>Firstly, the new station will not bring new customers to the taxi trade, it will split the existing passenger numbers between two stations and reduce the fares currently earned – E.g. A Boreham resident currently pays £15 from City Station to Boreham, they will now get off at Beaulieu Station and pay £7 - same customer - smaller fare.</p> <p>If a taxi driver is to pay a fee to rank at a station why would they go to Beaulieu Station which will never be as busy as the City Station? Why would they pay to be on the City Station rank AND the Beaulieu Station rank - doubling their costs for effectively smaller fares? Why would a taxi driver rank up at the Beaulieu Station that will predominantly service local residents of Boreham, Chelmer Village and North Springfield during commuting times only, which will all be small local fares?</p> <p>The simple answer is they wont, they wont pay the fee and the Beaulieu Station rank will have no taxis.</p> <p>The council does not charge taxi drivers to use any other council owned ranks in the City Centre, why would they charge to use a quieter rank out of town where there is no other passing public footfall from shoppers or bus station users?</p> <p>I believe the council should be trying to entice taxi drivers to use the new Beaulieu Station rank to ensure the new station is seen publicly as a success - instead they are trying to make money from a trade that is already feeling the pinch from rising costs, static fares and increased unregulated competition from Uber.</p> <p>For that reason, I believe the new Beaulieu Station rank should be free to all Chelmsford Hackney Carriage taxis</p>
3	<p>I understand the council during these austere times is hoping to raise money from the new Beaulieu Station rank - however I do not believe in this case that charging taxi drivers for using the rank is the answer, for a number of reasons.</p>

	<p>Firstly, the new station will not bring new customers to the taxi trade, it will split the existing passenger numbers between two stations and reduce the fares currently earned – E.g. A Boreham resident currently pays £15 from City Station to Boreham, they will now get off at Beaulieu Station and pay £7 - same customer - smaller fare.</p> <p>If a taxi driver is to pay a fee to rank at a station why would they go to Beaulieu Station which will never be as busy as the City Station? Why would they pay to be on the City Station rank AND the Beaulieu Station rank - doubling their costs for effectively smaller fares? Why would a taxi driver rank up at the Beaulieu Station that will predominantly service local residents of Boreham, Chelmer Village and North Springfield during commuting time only, which will all be small local fares?</p> <p>The simple answer is they wont, they wont pay the fee and the Beaulieu Station rank will have no taxis.</p> <p>The council does not charge taxi drivers to use any other council owned ranks in the City Centre, why would they charge to use a quieter rank out of town where there is no other passing public footfall from shoppers or bus station users?</p> <p>I believe the council should be trying to entice taxi drivers to use the new Beaulieu Station rank to ensure the new station is seen publicly as a success - instead they are trying to make money from a trade that is already feeling the pinch from rising costs, static fares and increased unregulated competition from Uber.</p> <p>For that reason, I believe the new Beaulieu Station rank should be free to all Chelmsford Hackney Carriage taxis</p>
4	<p>I understand the council during these austere times is hoping to raise money from the new Beaulieu Station rank - however I do not believe in this case that charging taxi drivers for using the rank is the answer, for a number of reasons.</p> <p>Firstly, the new station will not bring new customers to the taxi trade, it will split the existing passenger numbers between two stations and reduce the fares currently earned – E.g. A Boreham resident currently pays £15 from City Station to Boreham, they will now get off at Beaulieu Station and pay £7 - same customer - smaller fare.</p> <p>If a taxi driver is to pay a fee to rank at a station why would they go to Beaulieu Station which will never be as busy as the City Station? Why would they pay to be on the City Station rank AND the Beaulieu Station rank - doubling their costs for effectively smaller fares? Why would a taxi driver rank up at the Beaulieu Station that will predominantly service local residents of Boreham, Chelmer Village and North Springfield during commuting timesonly, which will all be small local fares?</p> <p>The simple answer is they wont, they wont pay the fee and the Beaulieu Station rank will have no taxis.</p>

	<p>The council does not charge taxi drivers to use any other council owned ranks in the City Centre, why would they charge to use a quieter rank out of town where there is no other passing public footfall from shoppers or bus station users?</p> <p>I believe the council should be trying to entice taxi drivers to use the new Beaulieu Station rank to ensure the new station is seen publicly as a success - instead they are trying to make money from a trade that is already feeling the pinch from rising costs, static fares and increased unregulated competition from Uber.</p> <p>For that reason, I believe the new Beaulieu Station rank should be free to all Chelmsford Hackney Carriage taxis</p>
5	<p>To whom it may concern,</p> <p>First of all, I'd like to express my I'm delighted with the addition of the new Taxi rank that will be coming.</p> <p>However, I'd like to address some concerns I have. Firstly, I'd appreciate if the permits did not require a payment of any sort, especially a fee as high as £500-£1500. My reasoning for this is, in the case that the station is already owned by the council, I believe it is quite unfair to charge another fee considering we drivers are already paying for many extra fees. It would be much appreciated if the taxi rank was free for drivers to wait for customers at.</p>
6	<p>My suggestion is to increase parking space for up to 10 taxis at least at the beaulieu park station.</p> <p>Also introducing barrier entry system for taxi drivers to access the taxi rank would be more practical, beneficial and profitable for all involved parties. Entry fee should be 50p per entry.</p>
7	<p>Really can't understand why we have to pay for permit to use new station rank!?!? We already paying you for loads of things and you know It's really not fair you make money out of everything</p>
8	<p>With regard to the proposed permit scheme at the new station please consider the following:</p> <ol style="list-style-type: none"> 1) Chelmsford council provides far fewer rank spaces than the number of Hackney Carriage licences it issues at present. 2) The current ranks are oversubscribed and at busy periods cause problems due to excess taxis trying to find a place to work. 3) There is no unmet demand and no further issue of licences such as the 20 electric vehicle licenses issued 2 years ago is required. It will further compound the current problems at the bus station and on parkway. Problems were increased by the council issuing 20 licenses instead of 10 which would have been more sensible in respect of the rank places provided. 4) The new station will not provide extra work it will displace the current customer base from a central location to 2 different sites. Restrictions on use may prevent customers getting at taxi in either location. . 5) We currently have no footfall information for the new site or any information as to the decrease in footfall at the current station this will depend on timetable and customer preference neither or which is common knowledge yet 6) A trial period with a review after 3 and 6 months would be the best way to implement a new permit scheme. 7) Nominal fees for the initial periods for successful applications would promote service on which could potentially be an initially quiet location while customers adjust to new timetables and assess their best travel options
9	<p>Beaulieu station permit</p>
10	<p>Taxi Rank should be FREE at Beaulie Parkway Station for Chelmsford Hackney Carriage Vehicle. As the Driver & Vehicle Owner Paying a lots to Aquire the Lisence.</p>

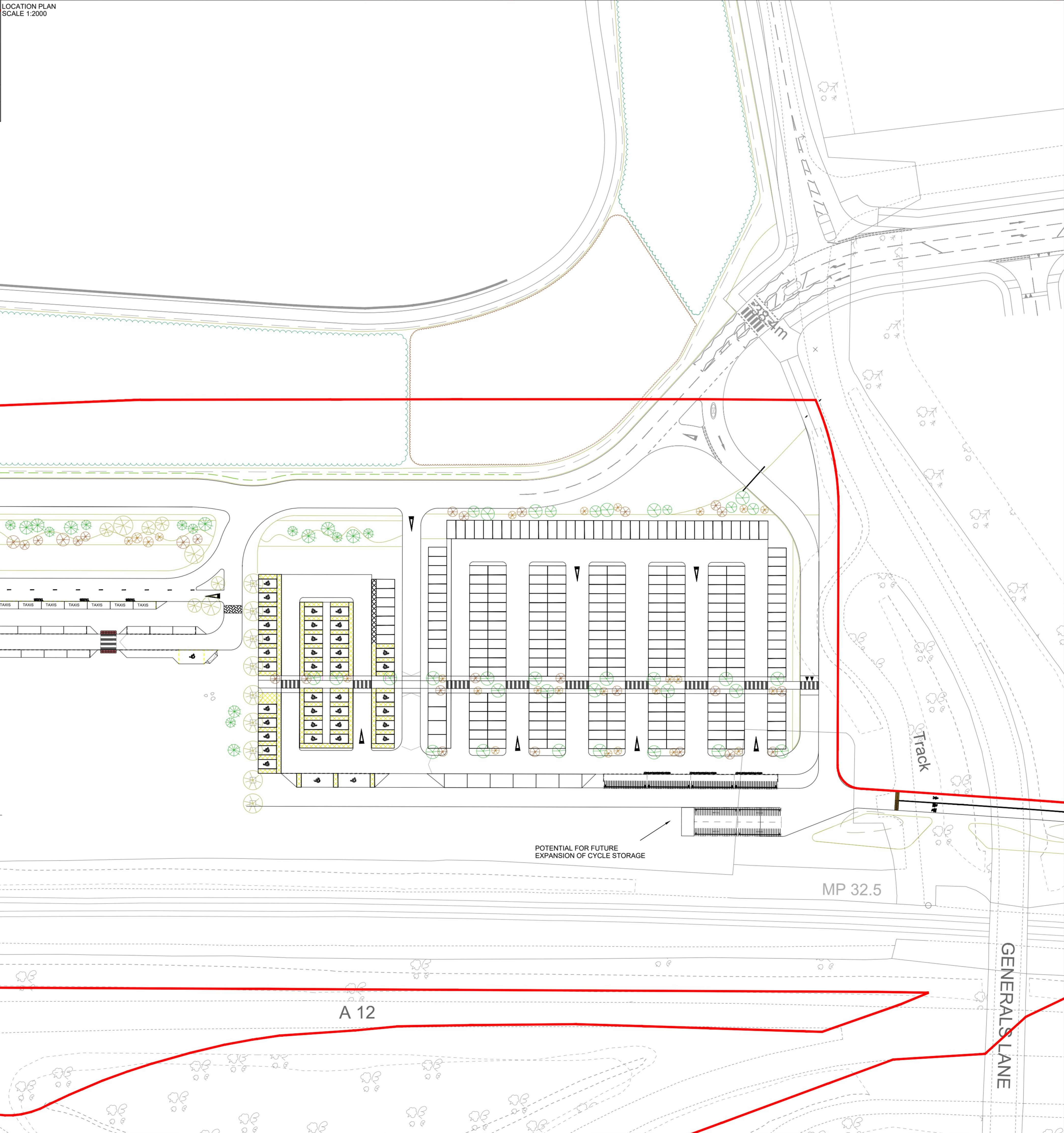
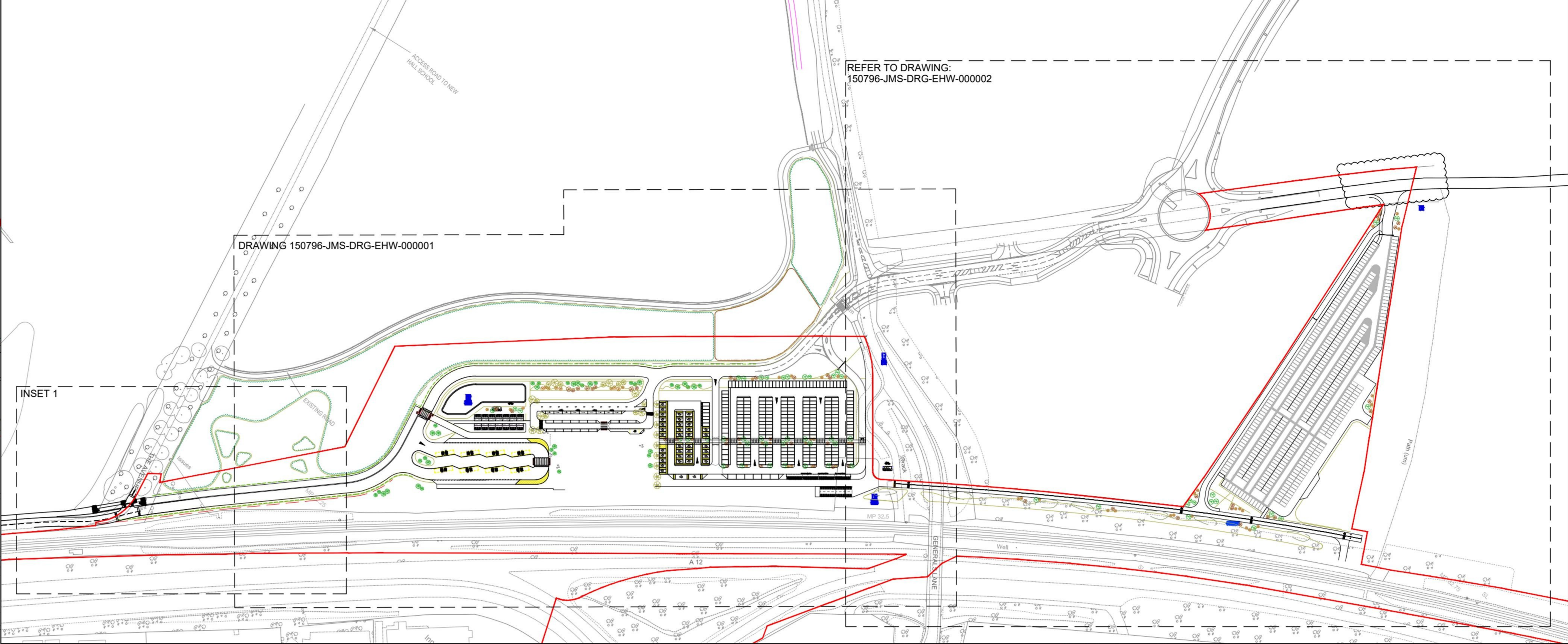
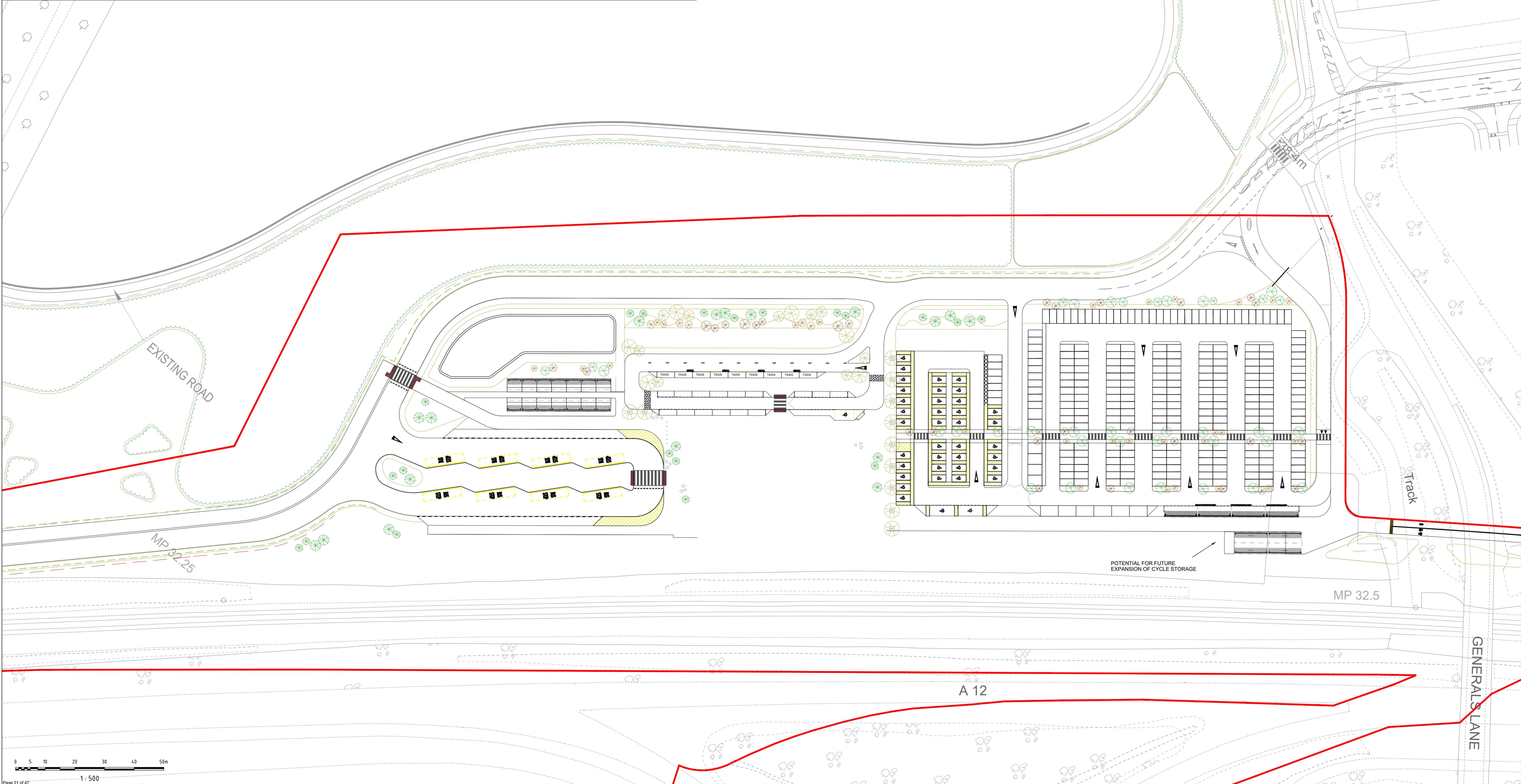
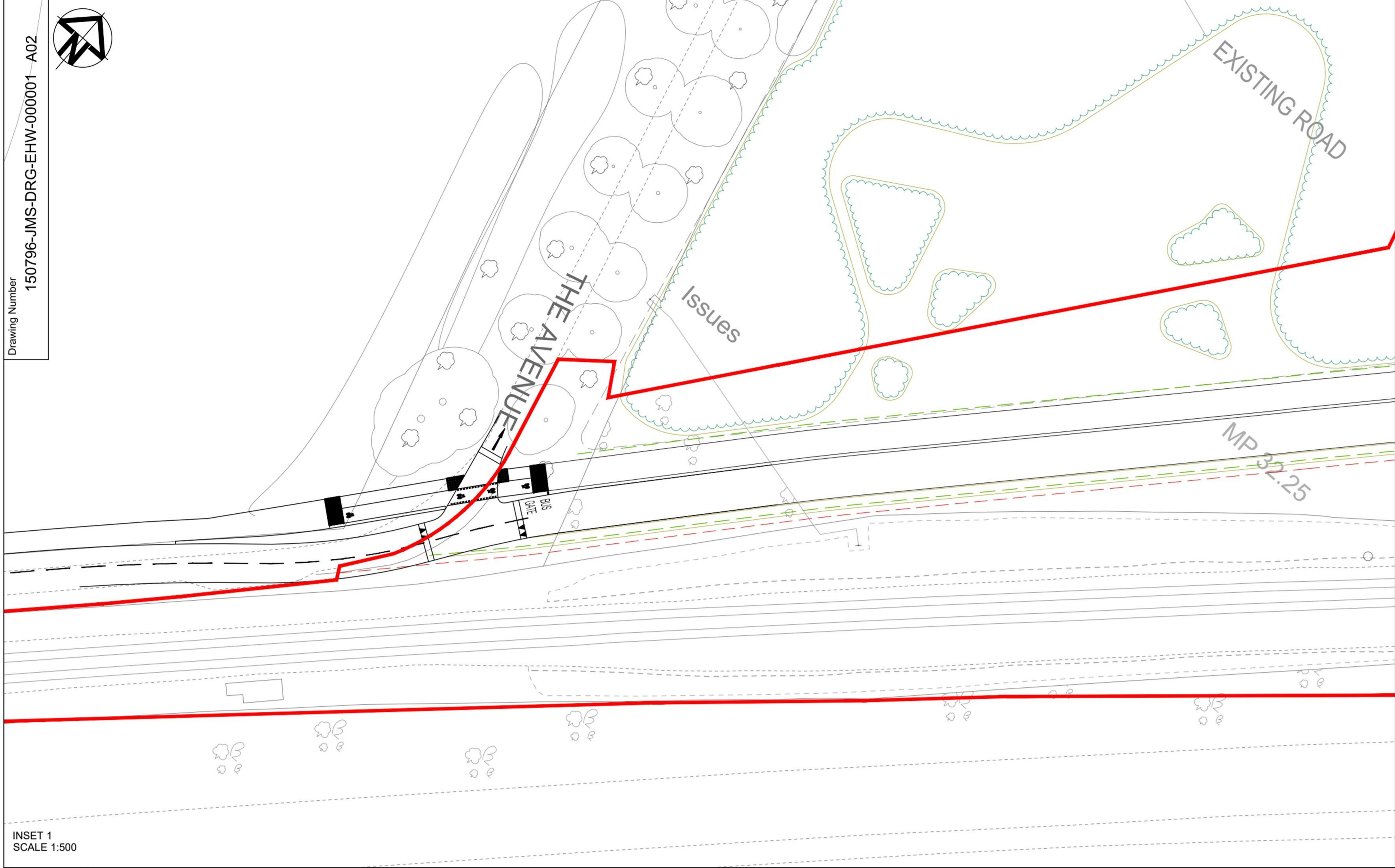
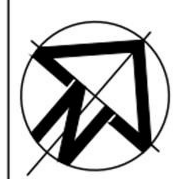
	Let them Make a living. On other hands if the Owner of Hackney Carriage Vehicle doesn't obtain a Permit, Chelmsford Council force the Public life in Danger. Public who will be using Beaulie Parkway Station won't get Access to get a Cab home. I hope Chelmsford Council Think Twice before Put a Permit Scheme for Hackney Carriage Vehicle
11	It is noted that the proposal is to issue just 50 permits. However, this station is going to serve a very wide catchment with rail users needing to hire a taxi to destinations further away from the station meaning that taxis will be away from the rank for longer periods than say the city centre where journeys are short and within a limited area. Thus to prevent a situation where no taxis are on rank, Chelmsford Garden Community Council contends that more than 50 licences should be issued. It is also noted that the licences will be issued in phased batches, however to avoid a shortage of taxis as the busy Christmas period, it is considered that phasing will not be necessary. It is also considered that the operation of the licencing should be reviewed after 6 months, not 12 months.
12	<p>Dear Regulatory Committee Member</p> <p>I am writing to express my deep concerns regarding the proposed restrictions and charges for the use of the Taxi rank at Beaulieu Station. It is disappointing to see a focus on revenue collection over the delivery of an efficient and accessible transport service for both local residents and visitors to our city.</p> <p>Limiting the number of Taxis and imposing fees will ultimately fail to meet passenger demand, particularly during operating hours of the station. A key concern is public safety, especially late at night, when passengers arriving at Beaulieu Station may find no Taxis available to take them home. This could leave vulnerable individuals with no choice but to walk alone in the early hours, increasing personal safety risks.</p> <p>It is essential that this committee considers the working realities of Taxi drivers. Drivers have the right to operate freely within the borough, naturally gravitating to areas where they are most likely to secure fares. City-based ranks potentially offer more frequency of work, including higher-value longer journeys.</p> <p>In contrast, the anticipated demand at Beaulieu Station will likely consist of local trips serving Beaulieu, Channels, and parts of North Springfield, making it a less attractive rank for many drivers.</p> <p>As a result, there is a significant risk of limited service at Beaulieu Station, particularly between 11:00 PM and the early hours of the morning. During this time, many taxis will be stationed at higher-demand ranks such as City Station, Viaduct Road, Baddow Road, and Bond Street. Restricting access at Beaulieu Station means that only a limited number of designated taxis (e.g., 30 vehicles) will be able to respond to demand, reducing overall service availability.</p> <p>If regular rail users experience ongoing difficulties in securing onward transport, they may opt to disembark at City Station instead of Beaulieu, undermining the very purpose of the new station.</p> <p>I have engaged with local businesses and institutions, including New Hall School, Beaulieu School, Royal Mail, Aldi, Tesco, McDonald's, and DPD, all of whom have expressed concerns that their students, staff, and visitors could face delays in travel, impacting attendance and business operations.</p> <p>Allowing open access for all taxis would help mitigate these concerns and ensure a reliable service for those who need it.</p>

	<p>This submission is made from a professional standpoint, advocating for the rights of the public to access the transport services they require and deserve. The taxi industry has the capacity to meet this demand effectively, but only if access is not restricted. I urge the committee to reject the current proposal and instead support open, unrestricted access for taxis at Beaulieu Station, ensuring a fair and effective transport service for all.</p> <p>I understand that the Council may have sought legal advice on this matter. However, the trade firmly believes that any acceptance of this proposal—profiting from taxi proprietors—could be legally challenged in court. I trust this committee will agree that this is not an appropriate use of council taxpayers' money.</p> <p>Thank you for your time and consideration.</p>
13	<p>I think there should be no charge for taxis to use a council property owned rank</p> <p>Bearing in mind the safety aspect of people waiting for a taxi should no one apply for a permit, who will be responsible for any mishap to vulnerable, elderly or people who have had a drink after work, finishing late and cannot drive home ?</p> <p>The licence fee of approx £400 should cover the expenditure if any for a rank at the new station</p>
14	<p>It is not fair with taxi drivers to charge them more for permit as meter rates are already high. If you put more financial burden on taxi driver that mean you'll have to increase taxi rates and it's not good idea when you have uber knocking on door.</p> <p>We already don't have enough rank space in or around chelmsford compare to number of hackney carriage. I believe beaulieu park rank should be free to use as it comes under chelmsford city council so we have more rank space to park and potentially earn money.</p>
15	<p>Dear Regulatory Committee Member</p> <p>I am writing to express my deep concerns regarding the proposed restrictions and charges for the use of the Taxi rank at Beaulieu Station. It is disappointing to see a focus on revenue collection over the delivery of an efficient and accessible transport service for both local residents and visitors to our city.</p> <p>Limiting the number of Taxis and imposing fees will ultimately fail to meet passenger demand, particularly during operating hours of the station. A key concern is public safety, especially late at night, when passengers arriving at Beaulieu Station may find no Taxis available to take them home. This could leave vulnerable individuals with no choice but to walk alone in the early hours, increasing personal safety risks.</p> <p>It is essential that this committee considers the working realities of Taxi drivers. Drivers have the right to operate freely within the borough, naturally gravitating to areas where they are most likely to secure fares. City-based ranks potentially offer more frequency of work, including higher-value longer journeys.</p> <p>In contrast, the anticipated demand at Beaulieu Station will likely consist of local trips serving Beaulieu, Channels, and parts of North Springfield, making it a less attractive rank for many drivers.</p> <p>As a result, there is a significant risk of limited service at Beaulieu Station, particularly between 11:00 PM and the early hours of the morning. During this time, many taxis will be stationed at higher-demand ranks such as City Station, Viaduct Road, Baddow</p>

	<p>Road, and Bond Street. Restricting access at Beaulieu Station means that only a limited number of designated taxis (e.g., 30 vehicles) will be able to respond to demand, reducing overall service availability.</p> <p>If regular rail users experience ongoing difficulties in securing onward transport, they may opt to disembark at City Station instead of Beaulieu, undermining the very purpose of the new station.</p> <p>I have engaged with local businesses and institutions, including New Hall School, Beaulieu School, Royal Mail, Aldi, Tesco, McDonald's, and DPD, all of whom have expressed concerns that their students, staff, and visitors could face delays in travel, impacting attendance and business operations.</p> <p>Allowing open access for all taxis would help mitigate these concerns and ensure a reliable service for those who need it. This submission is made from a professional standpoint, advocating for the rights of the public to access the transport services they require and deserve. The taxi industry has the capacity to meet this demand effectively, but only if access is not restricted. I urge the committee to reject the current proposal and instead support open, unrestricted access for taxis at Beaulieu Station, ensuring a fair and effective transport service for all.</p> <p>I understand that the Council may have sought legal advice on this matter. However, the trade firmly believes that any acceptance of this proposal—profiting from taxi proprietors—could be legally challenged in court. I trust this committee will agree that this is not an appropriate use of council taxpayers' money.</p> <p>Thank you for your time and consideration.</p>
16	<p>Afternoon Sir/ madam</p> <p>I'm a Hackney Carriage Taxi driver for Chelmsford City Council.</p> <p>I would like request, please don't charge for use Taxi rank in new station because we can't pay thats money anymore. Taxi business and run is so expensive nowadays so we will use this rank if you start paid Taxi rank for us .</p> <p>Please consider this point and we'll service for all public.</p> <p>Kind regards</p> <p>Thank you</p>
17	<p>Dear Regulatory Committee Member</p> <p>I am writing to express my deep concerns regarding the proposed restrictions and charges for the use of the Taxi rank at Beaulieu Station. It is disappointing to see a focus on revenue collection over the delivery of an efficient and accessible transport service for both local residents and visitors to our city.</p> <p>Limiting the number of Taxis and imposing fees will ultimately fail to meet passenger demand, particularly during operating hours of the station. A key concern is public safety, especially late at night, when passengers arriving at Beaulieu Station may find no Taxis available to take them home. This could leave vulnerable individuals with no choice but to walk alone in the early hours, increasing personal safety risks.</p> <p>It is essential that this committee considers the working realities of Taxi drivers. Drivers have the right to operate freely within the borough, naturally gravitating to areas where they are most likely to secure fares. City-based ranks potentially offer more frequency of work, including higher-value longer journeys.</p>

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19	<p>I am the GMB Union branch secretary for Professional Drivers (London Region)</p> <p>We are concerned about the proposed restriction and charges for the use of taxi rank at BEAULIEU Station which will have adverse effects on our members carrying out their legitimate business in the area.</p> <p>This will create safety issues for commuters using the station because of the likely shortage of drivers at late in the night when drivers will opt not to ply the route on the basis of the charges.</p> <p>Commuters will be stranded especially vulnerable people such as elderlies and women.</p> <p>The public have right to be able to access transport services at all time without any hindrance.</p> <p>The purpose of trying to drive users to the new station will be defeated if it turns out that they will be stranded with limited access to secured transportation.</p> <p>The committee should reconsider the proposal and look away from profiteering as there are so many other ways of raising fund than putting residents at risk.</p> <p>We hope common sense will prevail.</p>



NOTES

- DO NOT SCALE FROM DRAWING - USE ONLY DIMENSIONS AS NOTED.
- ALL DIMENSIONS IN MILLIMETERS UNLESS OTHERWISE NOTED.

KEY

— LAND BOUNDARY

UNTIL TECHNICAL APPROVAL HAS BEEN OBTAINED FROM THE RELEVANT LOCAL AUTHORITIES OR STATUTORY BODIES, IT SHOULD BE UNDERSTOOD THAT ALL DRAWINGS ARE ISSUED AS PRELIMINARY AND NOT FOR CONSTRUCTION. SHOULD THE CONTRACTOR AND / OR EMPLOYER COMMENCE WORK PRIOR TO APPROVAL BEING GIVEN, IT IS ENTIRELY AT THEIR OWN RISK

P05	06/06/22	Cycle storage potential expansion note added	GK	GK	JH
P04	06/05/22	Footway cyclway adjacent to main car park widened to 5m	GK	GK	JH
P02	12/04/22	Scale bar updated	GK	GH	GH
P02	21/02/22	Updated tie-in to The Avenue	GK	GH	JH
Rev	Date	Description of Revisions	Drawn	Chkd	Appr

Status: **FOR PLANNING** Submittal: **S1**

NetworkRail

Authorised: --- Signed: --- Date: ---

Contractor(s): **J Murphy & Sons Ltd**

Location/Level: No Specific Location

Type: CAD Drawing Sub-type: General Arrangement

Role: Civil Engineer Discipline: Highways

Volume/System: ---

Phasing: Proposed Grip Stage: 4

Project: **Beaulieu Station**

Contract No.: **150796**

Contract Title: **Beaulieu Station**

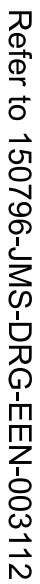
Drawing Title: **Beaulieu Station Highways General Arrangement PT Interchange and Surface Car Park**

Designed	G. KENNAIRD	Signed	GK	Date	06/06/22
Drawn	G. KENNAIRD	Signed	GK	Date	06/06/22
Checked	G. KENNAIRD	Signed	GK	Date	06/06/22
Approved	J. HRUSA	Signed	JH	Date	06/06/22

Scale(s): 1:500 ELR & Mileage - - to -

Alternative Reference: ---

Drawing Number: 150796-JMS-DRG-EHW-000013 Sheet: 1 of 1 Revision: P05



Safety, Health and Environmental Information

Notes below are additional to hazards/risks normally associated with this type of work:

Construction

No unusual hazard identified

Operations

No unusual hazard identified

Maintenance

No unusual hazard identified

Dismantling/Demolition (Future)

No unusual hazard identified

These notes are based on the use of experienced and competent contractors carrying out the work using an approved safe method of working.

For all construction risks refer to the combined Designer Risk Assessment document no. C366N573

Fabrication drawings are to be prepared by the Subcontractor for brown/ green roof, cycle stores, raised planters and all landscape special features. The Contractor shall coordinate the fabrication drawings in accordance with design intent drawings, performance specification and combined designers risk assessment and coordinated with all other design disciplines. Dimensions are to be provided in millimetres and dimensions are to be taken prior to fabrication drawings being prepared.

The Contractor or Subcontractor is to co-ordinate fabrication drawings with all adjoining packages and primary steelwork.

Selection of trees and any vegetation in the nursery to be carried out by Landscape Architect.

Installation of trees and landscape special features to be agreed on-site with the Engineer and the Contractor.

Kerbs, edgings and road markings to Highway Engineer's specification, unless otherwise stated.

All proposed hard landscape site levels and paving build-ups to Highway Engineer's specification.

All lighting, structural engineering and surface water drainage design by others and co-ordinated with landscape scheme and surface finishes. All dimensions are in millimetres and levels in metres unless otherwise stated.

The accuracy of survey information provided by others remains with the originator.

Do not scale from this drawing.

To read in conjunction with:

Planting Schedule, document no:150796-JMS-SCH-ENG-030001.

Planting Schedule, document no:150796-JMS-SCH-ENG-030002.

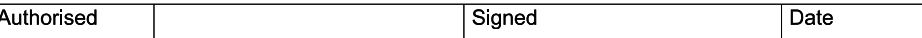
Landscape Specification, document no:150796-JMS-SPE-ENG-030000.

Extent of tree pit with granular surround



Rev	Date	Description of Revisions	Drawn	Chkd	App
Status					Suitability
Suitable for Co-ordination					S1

Suitable for Co-ordination



J Murphy & Sons Ltd

Location\Level
No Specific Location

Type	CAD Drawing
------	-------------

Role	One Drawing
------	-------------

Landscape Architect
/volume/System

Proposed

Project

Beaulieu Station

Contract No. _____

150796

Contract Title

Beaulieu Station

Drawing Title

Landscape Pl

Landscape 1

Station Square

Designed	C. SANTA MARI
----------	---------------

Drawn	
-------	--

A blank coordinate plane with x and y axes. The x-axis is horizontal and the y-axis is vertical, intersecting at the origin. There are tick marks on both axes, but no numerical labels are provided.

Checked	E.TIERNAN
---------	-----------

Approved	
----------	--

Scale(s) 1:250 - 1:1

1:250 1:250 at 7/11

Alternative Reference

Drawing Number

150796-JMS-DRG-E

Signed	Electronically Signed	Date	27/06/22
Signed	Electronically Signed	Date	27/01/25
Signed	Electronically Signed	Date	27/01/25
Signed		Date	
ELR & Mileage			
LTN1 32m0352y to 32m1127y			

Sheet
2 of 5

Revision
P09

Sheet Size A1 594 x



Chelmsford City Council Regulatory Committee

27th March 2025

Business and Planning Act 2020 – Application to appeal the decision of a pavement licence.

Report by: Director of Public Places

Officer Contact:

Simon PARNHAM, Licensing Officer, simon.parnham@chelmsford.gov.uk 01245 606727

Purpose

The Committee is requested to consider an application to review the licensing authority's decision to refuse a pavement licence.

Options

Members are advised that they have the following options when determining this application.

-
1. To uphold the decision to refuse the licence.
 2. To grant the licence as applied for
 3. To grant the licence with specific conditions or modifications.
-

1. Introduction

- 1.1 Pavement licences were introduced under the Business and Planning Act 2020 ('the 2020 Act') and allows someone who has a business premises for the sale of food and/or drink to apply for a licence to place removable furniture on a

highway. The furniture can be used for the sale or service of food and by the business's customers. On receipt of an application, there is a 14- day period of public consultation followed by a 14-day period of determination. Before determining an application, the local authority must consider any representations received during the consultation period and must consult the Highways Authority. If a local authority does not make a determination within the 14-day determination period, the licence is deemed granted.

- 1.2 Chelmsford City Council's Policy permits furniture placement only in specific areas. A copy of our policy is attached as **Appendix A**
- 1.3 Legislation does not provide a statutory right of appeal for these decisions. However, councils may consider granting an informal review process to their Regulatory Licensing Committee, which is the decision taken in this instance.

2. Background

- 2.1 The premises is situated at 1 New London Road, Chelmsford, CM2 0NA. The property has two street fronts: Conduit Street (the passageway) and New London Road, as well as fronting Half Moon Square. A Google Map image showing the location of the premises is attached (**Appendix B**).
- 2.2 This is not the first application received for a Pavement Licence at this location submitted by Mr. Parker on behalf of Gail's. The initial application was submitted on 4th November 2024.
- 2.3 Following representations received opposing the application, the Licensing Authority refused the first application.
- 2.4 The current application has attracted objections that closely mirror those raised in the first application.

3. Application

- 3.1 On the 22nd January 2025, a complete application was received from Brett Parker in accordance with section 2(1) & (2) of the Business and Planning Act 2020 using the Council's application form and procedures. Please see attached as **APPENDIX C**.
- 3.2 A detailed plan and photographs of the proposed area were provided and are attached as **APPENDIX D**
- 3.3 Consultation was sent out to all responsible authorities on the 23rd January 2025 with a closing date of 5th February 2025.

4. Representation and consideration

- 4.1 During the course of the application, comments were made during the consultation period from Chelmsford Planning department, Town Centre Management and the Chelmsford Markets & Shop mobility Manager. These are attached as **APPENDIX E**
- 4.2 While the Licensing Authority had the discretion to grant the application, doing so would have been contrary to all opposing comments. In line with Chelmsford City Council's policy which states Tables and Chairs will not be permitted where they would restrict any pedestrianised public highway to less than 2.5 metres in width or impede any designated cycle route., the application was therefore refused. A letter outlining the refusal and the reasons was sent to Brett Parker via email on 18th February 2025 and is attached as **APPENDIX F**
- 4.3 Chelmsford City council received an email of appeal, on 13th March 2025, in relation to the refusal of a pavement licence. Please see attached at **APPENDIX G**.

5. Conclusion

- 5.1 In conclusion, while upholding the decision to refuse the licence aligns with existing policies and regulations, an alternative option could be to grant the licence as applied for, or grant with specific conditions or modifications, thereby addressing concerns while supporting local business operations.

List of appendices:

Appendix A – Policy & Plans
Appendix B - Google image of premise
Appendix C – Application
Appendix D – Plans.
Appendix E – Objections from consultees
Appendix F – CCC refusal letter
Appendix G – Applicants letter of appeal.

Background papers: Business and planning Act 2020

Corporate Implications

Legal/Constitutional:

The Council must ensure a fair and transparent review process, allowing the appellant to present their case and respond to any evidence. In reviewing any decision to refuse an application, the Committee must have due regard (and accord due weight) to

Chelmsford City Council's pavement licensing policy, which outlines permitted areas and conditions for approval.

Financial:

A successful Judicial Review of the decision could lead to potential costs for the council, including legal fees or compensation if the refusal is deemed unreasonable.

Potential impact on climate change and the environment:

Granting a pavement licence may increase foot traffic, noise, and waste generation.

Proper waste management and environmental considerations should be in place.

Contribution toward achieving a net zero carbon position by 2030:

None

Personnel:

Staff resources are required to manage the appeal process, enforce compliance, and address any emerging concerns.

Risk Management:

Key risks include legal challenges, reputational damage, and accessibility concerns.

The council must balance business interests with public safety and urban planning policies. Decisions must ensure accessibility for all, including individuals with disabilities and

consider the impact on the wider community.

Health and Safety:

The council must ensure pedestrian safety, emergency access, and adherence to fire and noise regulations. Outdoor seating should not obstruct pathways or create hazards.

Digital:

Records of applications and appeal processes should be maintained electronically with appropriate data security measures.

Other: None

Consultees: Legal, Democratic Services

Relevant Policies and Strategies: Business and planning Act 2020

Pavement Licensing Policy

1. Introduction

The Business and Planning Act 2020 (as amended) was introduced as temporary legislation to assist businesses and remove existing bureaucracy around what were known as Tables and Chairs Licences under the Highways Act. The Business and Planning Act 2020 has now been amended by the Levelling Up and Regeneration Act 2023 which makes the Pavement Licence regime permanent.

The Act allows Chelmsford City Council to permit specified furniture to be placed on the highway (mostly footpaths and pedestrianised areas) although where applicable, businesses may still need the activity to be licensed, for example, sale of alcohol.

2. Definition of ‘pavement licence’

A pavement licence is a licence granted by the local authority, or deemed to have been granted, which allows the licence holder to place removable furniture over certain highways adjacent to the premises in relation to which the application was made, and for certain purposes.

3. Eligible Businesses

A person (which includes a body corporate) which uses (or proposes to use) premises for the sale of food or drink for consumption (on or off the premises) can apply for a licence. Businesses that are eligible include: public houses, cafes, bars, restaurants, snack bars, coffee shops, ice cream parlours or similar.

A licence permits the business to use furniture placed on the highway in order to sell or serve food or drink and/or allow it to be used by people for consumption of food or drink supplied from, or in connection with the use of the premises.

A pavement licence does not licence the activity, only the placing of the furnishings. The pavement licence is issued to a person or incorporated body. Where there is a change to that person or incorporated body then the licence will lapse, and a further application will need to be made by any new person.

4. Eligible Locations

Licences can only be granted in respect of highways listed in section 115A(1) Highways Act 1980.

Generally, these are footpaths restricted to pedestrians or are roads and places to which vehicle access is restricted or prohibited. Highways maintained by Network Rail or over the Crown land are exempt (so a licence cannot be granted).

This policy is applicable throughout the Chelmsford City Council district, although its main impact is within the city centre as other areas with demand for tables and chairs tend to be on privately owned land.

From 8 High Street northwards to the top of the High Street tables and chairs are only permitted in the hatched areas of the plan at Appendix 1. There must be a minimum width of 3 metres between the business façade and the tables and chairs, and a minimum 5 metre clear route along the centre of the street. The maximum depth of the area licensed for tables and chairs to be 2.5 metres.

To the south of 8 High Street, including Springfield Road and Moulsham Street, tables and chairs to be placed abutting the façade. The maximum depth of the area licensed for tables and chairs is to be 2.5 metres. Maximum depth of 2.5 metres does not apply to Exchange Square or Backnang Square.

Tables and chairs can only be placed in front of the façade the licence holder is responsible for.

Tables and Chairs will not be permitted where they would restrict any pedestrianised public highway to less than 2.5 metres in width or impede any designated cycle route.

Any application for tables and chairs in front of Shire Hall must be considered by the Council's Regulatory Committee.

5. Type of furniture permitted

Seating, tables and, if required, umbrellas and heaters (together with a secure base) as well as any proposed barriers to enclose the seating area are permitted.

The furniture must be fit for purpose and designed specifically for commercial outdoor use (and comply with all relevant BS standards). It must be kept in good order; damaged or faded items must be replaced.

This furniture is required to be removable, meaning that it is not a permanent fixed structure, and is able to be moved easily, and should be stored away when the premises are closed for activity.

There is an expectation that the type and style of furniture would be 'in keeping' with the local area.

Picnic benches and plastic tables and chairs designed for domestic use (e.g. white plastic furniture) are not permitted.

Any form of gazebo or enclosed shelter with one or more sides is not permitted.

6. Barriers

When tables and chairs are in place a standard barrier consisting of a fabric banner and associated post/rail system shall be used. The function of the barriers is to demarcate and contain the tables and chairs but also to give a clear warning particularly to people with visual impairments.

The barriers shall be secured by a purpose designed post and rail system with weighted post bases to prevent being knocked or blown over and be of a height range of 800mm to 1000mm so to not visually obstruct views down the street or be an obstructing hazard

Street café barriers should be of a design to complement the character of the surrounding area. Banners should be of one design, in a plain style and can incorporate the business name or brand logo. Posts and rails should be stainless steel, chrome plated or powder coated.

7. Times of Operation

The tables and chairs can be placed on the highway only when the premises are open for business and in any event not before 6.00 am and normally until the close of business.

Where nuisance is likely to be caused to residents e.g. late at night, businesses may be required to remove the tables and chairs before the close of business.

8. Planning Permission

Once a licence is granted the applicant will also benefit from deemed planning permission to use the land for anything done only pursuant to the licence while the licence is valid, but not for any other purpose.

9. Consultation

Applications are consulted upon for 14 days, starting with the day after that on which the application is made to the Council (an application will not be considered to have been properly made unless each requirement has been met).

The Council will publish details of the application on its website at www.chelmsford.gov.uk/business/licensing/find-a-licence/pavement-licence

The Council is required by law to consult with the Essex County Council Highways Authority. In addition, to ensure that there are no detrimental effects in granting such a licence the Council will also consult with:

- Chelmsford City Council Environmental Health Service
- Chelmsford City Council Planning Department
- Essex Police
- The appropriate Local Ward Councillor(s)
- The appropriate Parish or Town Council

Members of the public and others listed above can contact the Council to make representations.

The Council must take into account representations received during the public consultation period and consider in their determination of the application.

10. Cost

There is an application fee and a renewal fee payable every two years. Details can be found on the application form and Chelmsford City Council website.

11. Insurance

Operators must indemnify both Chelmsford City Council and Essex County Council in respect of injury, damage or loss arising out of the grant of permission (unless such claims arise out of the Councils' negligence). All operators must have public liability insurance in the sum of £10,000,000 in respect of any one event. A copy of this insurance must be produced to the Council before a licence will be issued.

The Licence holder shall make no claim or charge against the Council in the event of the furniture or other objects being lost, stolen or damaged in any way.

12. Litter

Refuse and litter deposited on the highway in the vicinity of the chairs and tables must be collected at not less than hourly intervals (or more frequent intervals if required under the Environmental Protection Act 1990).

Litter is not to be placed in the litter bins situated on the highway for use by the general public, but in the trade refuse bins.

All tables must be cleared as soon as practicable after being vacated by customers to avoid litter being deposited unnecessarily on the highway.

13. Miscellaneous Conditions

The Licence holder must remove any furniture if required to do so to permit works in or the use of the highway by the Council, the County Council, the emergency services any statutory undertaker or telecommunications code operator or where the Licence holder has been notified of a special event taking place.

No charge can be made by the Licence holder for the use of the furniture.

All licences are renewable every two years.

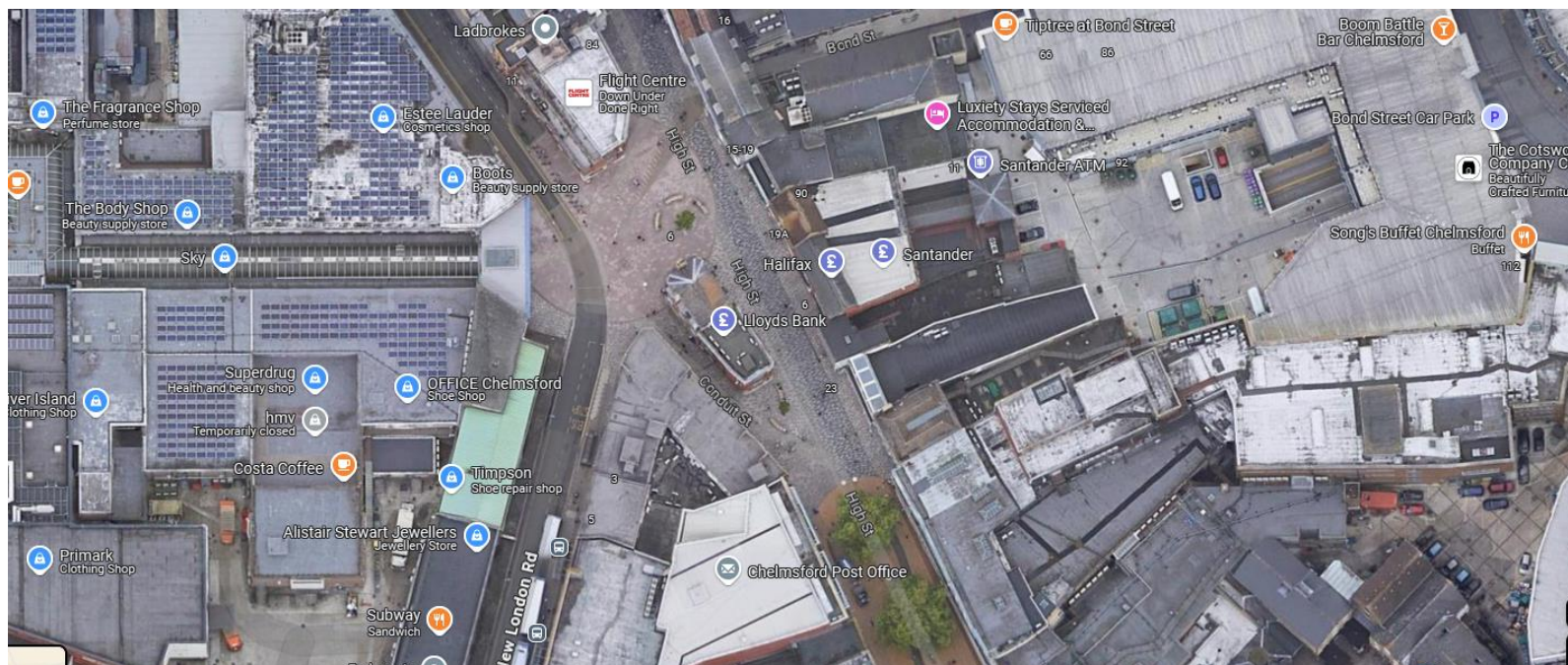
Appendices

Appendix 1

Map of Chelmsford City High Street with permitted areas for tables and chairs

Creation date	Version No.	Changes Approved:
June 2024	2	Policy updated to include legislative changes, adopt new and renewal fees and take into account decision of regulatory committee on 17/3/2022 to introduce specific restrictions in Chelmsford Town Centre

Appendix B



APPLICATION FOR THE GRANT/RENEWAL OF A PAVEMENT LICENCE

Before completing this application please read any associated guidance that can be found on our website at www.chelmsford.gov.uk. If you need to provide additional information please do so on a separate appendix to this application and submit with all required documentation as requested

APPLICANT DETAILS		
Title: <i>MR</i>	First name(s): <i>BRETT</i>	Surname: <i>PARKER</i>
Postal Address:		
Post Town:	Post Code:	
Phone (Home): <i>0</i>	Phone (Mobile):	
e-mail address:		
Date of Birth:	NI number:	

BUSINESS PREMISES DETAILS	
Trading Name: <i>GAIL'S</i>	
Postal Address: <i>1 NEW LONDON</i> <i>CHELMSFORD</i> <i>CM2 0NA</i>	
Purpose for which the business premises are used? (please tick one of the following options)	
Use as a public house, wine bar or other drinking establishment	<input type="checkbox"/>
Other use for the sale of food or drink for consumption on or off the premises	<input checked="" type="checkbox"/>
Both of the above uses	<input type="checkbox"/>

AREA OF HIGHWAY PROPOSED TO BE USED

Please provide a description of the area of the highway to which this application relates:
(Please note you are required to submit a scale plan of this area with your application)

PAVEMENT TO FRONT AND SIDE OF
1 NEW LONDON ROAD (EITHER SIDE OF
SHOP ENTRANCE).

RELEVANT PURPOSE THE APPLICATION RELATES TO:

Which of the following relevant purposes do you wish to put furniture on the highway for?
(please tick one of the following options)

To sell or serve food or drink supplied from, or in connection with relevant use of, the premises	
For the purpose of consuming food or drink supplied from, or in connection with relevant use of, the premises	<input checked="" type="checkbox"/>
Both of the above purposes	

DAYS AND TIMES

During what times do you propose to place furniture on the highway on each of the following days:
Please use the 24hr clock.

Mondays	07:00 to 19:00	Fridays	07:00 to 19:00
Tuesdays	07:00 to 19:00	Saturdays	07:00 to 19:00
Wednesdays	07:00 to 19:00	Sundays	07:00 to 19:00
Thursdays	07:00 to 19:00		

FURNITURE TO BE PLACED ON THE HIGHWAY

Please provide a description and quantity of the furniture you propose to place on the highway.

(Please note you are required to provide photographs or brochures of the proposed furniture with your application)

8 TABLES , 16 CHAIRS

Checklist:

- I have paid the fee of £500 for a new grant or £350 for a renewal application
- I have attached photographic evidence of the public notice
- I have enclosed a plan showing the extent of the area and layout of furniture
- I understand that I must now advertise my application.
- I understand that if I do not provide information requested that my application will be rejected.
- I understand that there is no assumed right of permission unless not determined within the required period. Where council refuse permission I understand that fees will not be refunded.

Rec. Ref



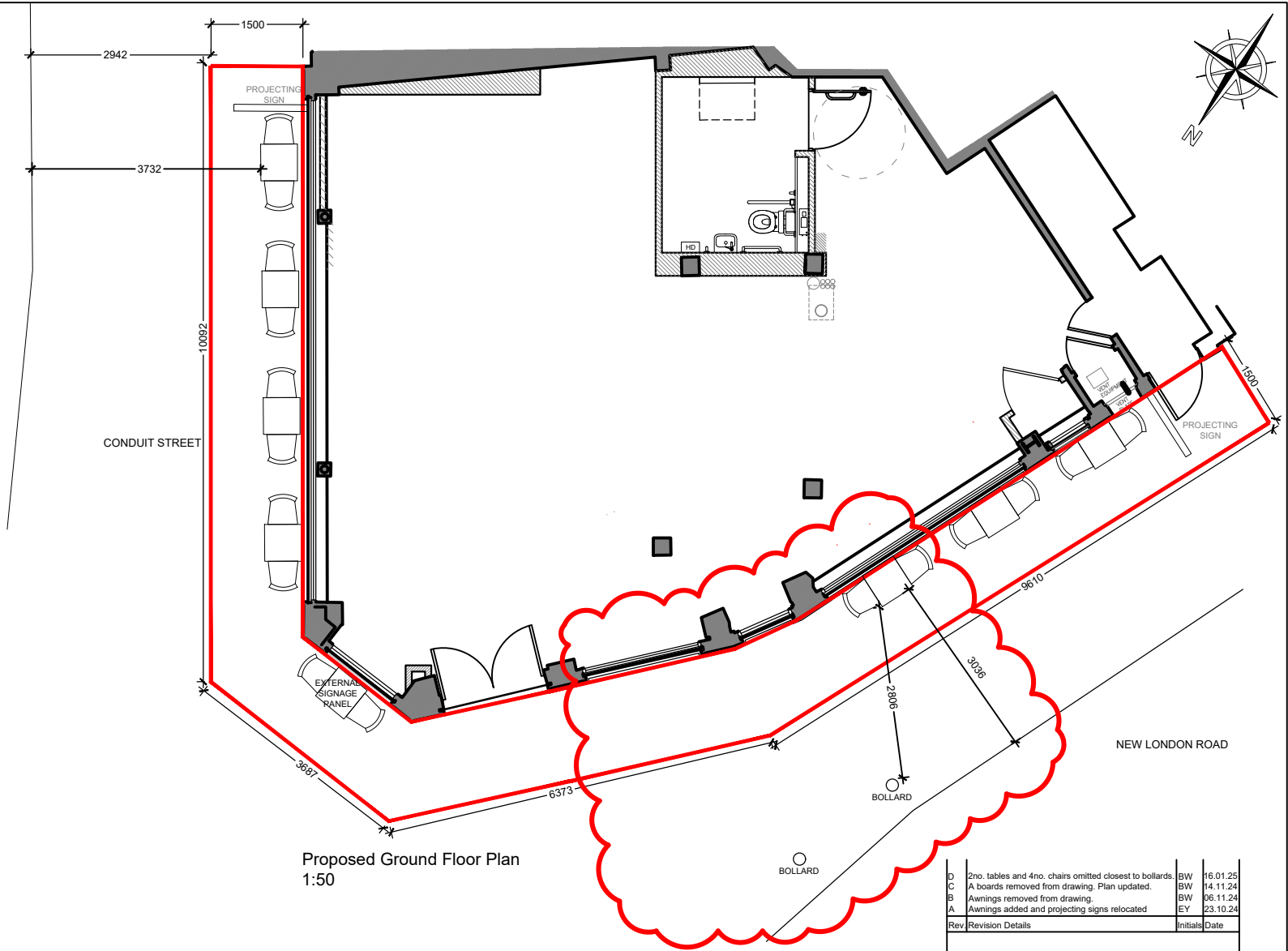
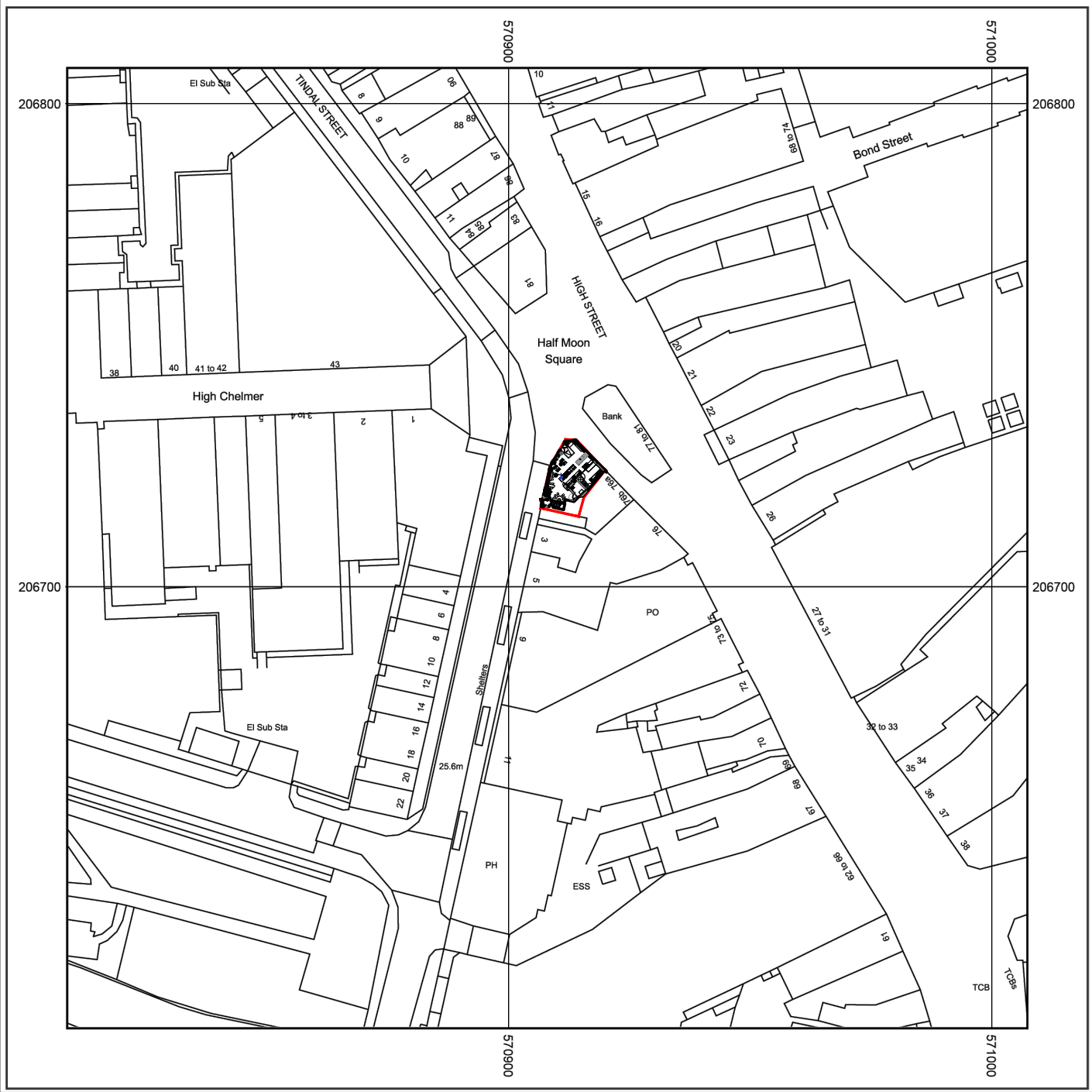


IMAGE OF PROPOSED AREA

Rev	Revision Details	Initials	Date
D	2no. tables and 4no. chairs omitted closest to bollards	BW	16.01.25
C	A boards removed from drawing. Plan updated.	BW	14.11.24
B	Awnings removed from drawing.	BW	06.11.24
A	Awnings added and projecting signs relocated	EY	23.10.24

newman gauge

E.design@newmanguauge.com T. 0121 212 9800
47A George St. Birmingham B3 1QA
newmanguauge.com

Client

GAIL's

Project

**GAILS BAKERY
CHELMSFORD**

Drawing Title

**PROPOSED PAVEMENT
PLAN**

Project Type

PLANNING

Date	Scale	Drawn By
SEP'24	AS@A3	BW
Project No.	Drawing No.	Revision
3178	005	D

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OS MAP
SCALE 1:1250

0 25 50 75 100 125

1:1250 metres

0 1 2 3 4 5

1:50 metres

Appendix E

Please see below screen shots of the comments received during the consultation period

Hi Simon,

The application for a pavement licence for Gails would make access on the High Street side of the building very difficult, especially on busy days. This part of the paved high street is already very narrow, and any furniture would just add to the congestion in this area that can become a bottle neck very quickly.

I would not be in favour of this application for access reasons in this location.

Kind regards

Pauline
Pauline Rider
Chelmsford Markets & Shopmobility Manager
Directorate of Public Places
Chelmsford City Council

Tel: 01245 605716/07841 802722 (Tuesday – Saturday)

pauline.rider@chelmsford.gov.uk

www.chelmsford.gov.uk/market

www.chelmsford.gov.uk/shopmobility

Dear Simon

The property 1 New London Road is within Central Conservation Area and opposite a local list building (Lloyds Bank). The premises benefits as part of the vista point when viewing down Tindal Street, and being at the confluence of five routes.

The property has two street fronts Conduit Street (the passageway), New London Road, as well as fronting Half Moon Square.

This location receives the highest footfall in the entire city centre, with the narrow passageway, the busy crossing to the shopping centre and footway around to the bus stops which consist of 4 shelters for bus passengers being the closest to the high street.

Conduit Street is a visually and perceptively narrow street, it receives major footfall constrained into a narrow passage being the principle walking route from the (southern half of the) High Street to the High Chelmer Shopping Centre.

The unique position of the building is critical to the walking route from the High Street around to the bus stops. Having a clear building line (with no furniture next to the building) helps people with visual impairments and neurodiverse conditions navigate from the High Street along Conduit Street and around the corner to New London Road and its bus stops.

The city centre bus stops on New London Road start immediately outside the premises and the existing Park & Ride bus shelter is approximately 3metres along. The furniture arrangement for this footway is already set by the existence of the shelters for bus passengers, and bollards and signals for the pedestrian crossing. The uprights of the shelters are kerbside and the building side along this footway is clear of physical permanent obstruction. The walking surface of this footway takes a concave nature with a drainage channel running along the middle of the footway, this makes it quite uncomfortable to walk along and makes the need for a clear walking area even more important.

One other point to make, they don't mention any barrier to the proposed area, only 8x tables and 16x chairs.

In summary, it is too narrow here for the amount of footfall and activity that takes place at this location for any tables & chairs at the premises 1 New London Road.

Also, to note a discrepancy - it is useful having a scale bar provided on the drawing however the Ground Floor Plan is shown as 1:50 and this this does not correlate with the scale bar.

Kind regards

Jamie Cole
Planning Officer (Public Realm and Design)
Economic Development and Implementation, Sustainable Communities
Chelmsford City Council

Appendix B

RE: New pavement licence Application



TCM

To Simon PARNHAM

Retention Policy Corporate policy (7 years)



Reply

Reply All

Forward



Wed 22/01/2025 16:07

Expires 21/01/2032

Start your reply all with:

I agree with you.

Yes, I agree.

Thank you for your feedback.

Feedback

Afternoon Simon,

My concerns still remain with the seating to the right-hand side of the entrance to the unit as no distance between the bollard and barrier is listed. This is the main measurement to ensure accessible travel to the bus stops and units bordering Gails.

My main concern is with 2 way traffic to a from these stops, it will force one party into the road and could cause serious incidents.

Kind regards

Phil Chittock

City Centre and Tourism Manager

Marketing and Communications Team, Connected Chelmsford
Chelmsford City Council

Tel: 01245 606986

Mob: 07849824673

Email: TCM@chelmsford.gov.uk

Civic Centre, Duke Street, Chelmsford, Essex CM1 1JE

Web: www.chelmsford.gov.uk



Chelmsford, Essex CM1 1JE

DX123305 Chelmsford 7
Telephone: 01245 606606
Facsimile :01245 606681
Email: licensing@chelmsford.gov.uk

Our Ref: 25/00062/PAVLI
Officer: Simon Parnham
Direct Dial: 01245606727
Date: 18th Feb 2025

Subject: Pavement Licence Application for Gails, 1 New London Road, Chelmsford, Essex, CM2 0NA

Dear Mr Parker,

Following a comprehensive review of your application for a pavement licence at 1 New London Road, the Licensing Authority regrets to inform you that the application has been refused. This decision has been made after careful consideration of responses from key consultees, including the Planning Department, and the Town Centre Manager, as well as our obligations under the Business and Planning Act 2020.

The key reasons for this decision are outlined below:

Planning Objections

1. High Footfall and Navigation Challenges:

- The location is a critical pedestrian link between the High Street, High Chelmer Shopping Centre, and New London Road bus stops. The proposed furniture would exacerbate congestion, particularly in narrow areas such as Conduit Street, and create navigation difficulties, particularly for individuals with visual impairments or mobility challenges.

Town Centre Manager's Observations

1. Tindal Street and Bus Stop Proximity:

- While the Town Centre Manager expressed minimal concerns regarding the Conduit Street aspect, significant concerns were raised about the Tindal Street section leading towards the bus stops. This area experiences heavy pedestrian traffic, and the proposed seating and barriers would reduce the available walkway, creating a single-track flow and forcing pedestrians into the road.

Conclusion

The unique positioning of 1 New London Road, its high pedestrian usage, and the constraints posed by existing street infrastructure make this location unsuitable for the proposed pavement furniture. Granting the licence would compromise public safety, accessibility, and the character of the city centre. If you wish to discuss this decision further, please contact the Licensing Team.

Please note that there is no formal appeal process under the law for a refused Pavement Licence application. However, the guidance does indicate that local authorities may allow an informal appeal to their licensing committee. This appeal is entirely at the council's discretion and is not guaranteed. If you

PUBLIC PLACES

Director: Keith Nicholson

wish to proceed with an appeal, please confirm your intent in writing and provide a detailed explanation of your grounds for appeal.

We understand the importance of outdoor seating for businesses like yours, and if you choose not to appeal this decision, we encourage you to consider submitting a new application with plans that better align with the council's policy and the comments from responsible authorities.

We appreciate your understanding in this matter.

Should you have any further questions or wish to discuss this decision in more detail, please do not hesitate to contact our office. If you wish to appeal this decision, please confirm in writing and provide an explanation of your reasons for appealing.

Yours sincerely

Daniel Winter
Licensing Lead Officer

Appendix G

From: James Baker

Sent: 13 March 2025 16:05

To: Licensing <Licensing@chelmsford.gov.uk>

Cc: Daniel WINTER <Daniel.WINTER@chelmsford.gov.uk>

Subject: Appeal of Pavement Licence Decision - 1 New Chelmsford Road, Chelmsford

Good afternoon,

On behalf of my client Gail's Bakery, please see attached an appeal of the decision to refuse a Pavement Licence application in February 2025, in respect of 1 New London Road, Chelmsford. Please see attached letter stating my clients grounds for appealing the decision, and two addendums.

I trust this is satisfactory, and we look forward to confirmation that this matter will be heard at Committee at the end of this month. We welcome the opportunity to appear and discuss this matter with Officers and consultees directly. Should you require any further information ahead of this, please do not hesitate in contacting me.

Kind regards

James

James Baker

Planner

Appeal Letter,

Submitted to licensing@chelmsford.gov.uk

Licensing

Chelmsford City Council

13 March 2025

Our Ref: 7707

Appendix G

Dear Sir / Madam,

Appeal of Pavement Licence Refusal – 1 New London Road, Chelmsford, CM2 0NA

On behalf of our client Gail's Ltd (Gail's), we are writing to appeal the decision to refuse a Pavement Licence application in February 2025 in respect of 1 New London Road, Chelmsford which is now operating as a Gail's bakery.

Background to Appeal Proposals

Site Description

The application site comprises a ground floor commercial unit, forming the corner of a four-storey building located at 1 New London Road. The unit is currently occupied by Gail's who opened their bakery at the premises in December 2024. The site is located within the Chelmsford Central Conservation Area, and the Chelmsford City Primary Shopping Area.

The site has frontage onto both New London Road and Conduit Street. The corner of the commercial unit directly faces the pedestrianised junction on which Conduit Street and the High Street meet. Conduit Street is pedestrianised, whilst New

London Road has a pavement which separates pedestrians from motorised traffic. Immediately to the south-west of the Gail's unit are bus stops serving the city centre.

Licensing Application History

An application for a Pavement Licence was first submitted on Gail's behalf on 18 November 2024, seeking a licence to display 10 tables and 20 chairs outside the premises on the New London Road and the Conduit Street elevations. This application was refused on 13 December 2024. Objections to the proposals were raised by Essex Highways and Planning Officers, who considered New London Road to be too narrow to place the proposed furniture and would result in pedestrian obstruction on a route with high footfall. Objection by Planning Officers also stated that furniture would disrupt key sightlines to the locally listed Lloyds Bank, as well as exacerbate congestion between the New London Road bus stops and along the Conduit Street frontage.

Seeking a compromise to allow Gail's to have some form of external seating and taking into consideration the objections received, a revised Pavement Licence application was subsequently submitted on 22 January 2025. Two tables and four chairs were removed from the New London Road elevation, with the new proposals seeking a licence for the placing of 8 tables and 16 chairs, with the result being increased pedestrian passing space at the narrowest point on New London Road

(drawing provided at Addendum 1 – Ref. 3178 005 Rev D). However, despite these amendments, this second application was refused by Licensing Officers on 18 February 2025 for the following reasons:

Planning Objections:

"The location is a critical pedestrian link between the High Street, High Chelmer Shopping Centre, and New London Road bus stops. The proposed furniture would exacerbate congestion, particularly in narrow areas such as Conduit Street, and create navigation difficulties, particularly for individuals with visual impairments or mobility challenges".

Town Centre Manager's Observations:

"While the Town Centre Manager expressed minimal concerns regarding the Conduit Street aspect, significant concerns were raised about the Tindal Street section leading towards the bus stops. This area experiences heavy pedestrian traffic, and the proposed seating and barriers would reduce the available walkway, creating a single-track flow and forcing pedestrians into the road".

Appeal of Decision and Justification of Proposals

Gail's are seeking to appeal the application refused on 18 February 2025 for the following reasons:

Firstly, it is critical to emphasise that outdoor seating is a vital part of Gail's offer and is desirable to their customers. Outdoor seating provides customers with increased choice, particularly at times of the year where it is preferred to consume food and beverages outdoors, and in turn has a direct impact on both customer experience, and the performance and vitality of the business operating from the unit. Gail's operate from over 100 sites nationwide, with the vast majority of these bakeries having outdoor seating to the front of the premises; this offer is vital to their success, and can indeed be key reason why customers decide to visit a Gail's bakery. The inability to place tables and chairs outside the premises removes this choice from customers and therefore has an impact on a bakery's performance and viability. It is therefore vital that Gail's can secure some form of external seating at this location.

As stated above, Gail's operate with outdoor seating at the vast majority of their bakeries, all which are compliant with the space regulations set out within the Business and Planning Act (2020) (as made permanent by the Levelling Up and Regeneration Act 2023), requiring over 2 metres of pedestrian passing space. The proposals refused within in February 2025, in absence of any local guidance, would be compliant with these national guidelines set. Notwithstanding, it is of course acknowledged that Chelmsford City Council (CCC) have imposed their own Pavement Licensing Policy. In respect of this policy, we would first like to highlight that the document does not explicitly state that outdoor seating is not appropriate at this location, nor state that outdoor seating cannot be placed on a pavement or street of the type that exist in front of the unit on New London Road or Conduit Street.

CCC Pavement Licence Policy states at Section 4 that "Tables and chairs will not be permitted where they would restrict any pedestrianised public highway to less than 2.5 metres in width or impede any designated cycle route". The outdoor seating layout submitted with the application refused in February 2025 demonstrated that at the narrowest point between the proposed furniture and the nearest bollard on New London Road, there would be pedestrian passing space of 2.8 metres in width. Indeed, the width at other points on New London Road between bollards and the proposed furniture demonstrated a wider pedestrian passing space. The width on Conduit Street at its narrowest between the proposed furniture and the west side would be 3.7 metres. Overall, on both frontages where seating is proposed, the narrowest pedestrian passing space is over the 2.5 metres as required by Section 4 of the Pavement Licence Policy, which demonstrates clear compliance with CCC policy on this matter.

With the above in mind, on behalf of Gail's we submit this appeal respectfully seeking that a Pavement Licence be granted for the layout refused in February 2025, on the grounds that the proposals are fully compliant with Section 4 of CCC Pavement

Licence Policy.

Notwithstanding, Gail's are conscious that at application stage, both Planning Officers and the Town Centre Manager expressed concern with the seating on the New London Road frontage. As such, in support of this appeal, Gail's have prepared a further drawing proposing a layout with seating identified only along the Conduit Street frontage (drawing provided at

Addendum 2 – Ref. 3178 005 Rev F). This layout is attached and would directly address the concerns of consultees with the

seating on the New London Road elevation, with the retained seating on Conduit Street also incorporating barriers which will demarcate and contain the seating, whilst also providing a visual warning to those approaching the site. As with the refused layout, this scheme would be compliant with Section 6 of CCC Pavement Licence Policy. The incorporation of barriers on the Conduit Street frontage would also still permit a minimum of 2.6 metres pedestrian passing space between the barriers and the west boundary, demonstrating compliance with Section 4 of CCC policy.

Summary

In conclusion, it has been demonstrated that the proposed external seating layout refused in February 2025 is entirely compliant with Chelmsford City Council's Pavement Licence Policy, and it is respectfully requested that this arrangement is allowed on appeal.

However, should the Council continue to object to the February 2025 scheme, as part of this submission we have put forward a further compromise providing a plan identifying external seating with the addition of barriers along Conduit Street only.

As expressed, it is key to Gail's operation and their customers that some form of external seating is secured to support this bakery. We therefore look forward to confirmation that this matter will be heard at Committee at the end of this month, and we welcome the opportunity to appear and discuss this matter with Officers and consultees directly. Should you require any further information ahead of this, please do not hesitate to contact the undersigned.

Yours sincerely,

James Baker

Planner

Planning Potential

London

Enc.

Appendix G

Addendum 1



Addendum 2

